

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

GIGAMONSTER NETWORKS,  
LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-10051 (JKS)

(Jointly Administered)

OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF GIGAMONSTER  
NETWORKS, LLC, *et al.*,

Plaintiff,

v.

BARINGS ASSET-BASED INCOME  
FUND (US), L.P., BABIF GIGABLOCKER LLC,  
MATTHEW SANDOVAL, W.F. (ROONEY)  
DEBUTTS, NISANTH REDDY, and JULIE  
NIEDZWIECKI,

Defendants.

Adv. Case No. 23-50404(JKS)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE  
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk:

824 North Market Street, 3<sup>rd</sup> Floor  
Wilmington, Delaware 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorneys.

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<sup>1</sup> The Debtors, along with the last four (4) digits of each Debtor's federal tax identification number are: GigaMonster Networks, LLC (2854); GigaSphere Holdings LLC (0250); GigaMonster, LLC (3014); Fibersphere Communications LLC (0163); and Fibersphere Communications of California LLC (5088). The Debtors' business address is 350 Franklin Gateway, Suite 300, Marietta, GA 30067.

Name and Address of Plaintiff's Attorneys:	
Patrick A. Jackson (No. 4976) Jaclyn C. Marasco (No. 6477) FAEGRE DRINKER BIDDLE & REATH LLP 222 Delaware Avenue, Suite 1410 Wilmington, Delaware 19801 Telephone: (302) 467-4200 Facsimile: (302) 467-4201 Emails: patrick.jackson@faegredrinker.com jaclyn.marasco@faegredrinker.com	Richard J. Bernard (admitted <i>pro hac vice</i> ) Kyle R. Kistingner FAEGRE DRINKER BIDDLE & REATH LLP 1177 Avenue of the Americas New York, New York 10036 Telephone: (212) 248-3140 Facsimile: (212) 248-3141 Emails: richard.bernard@faegredrinker.com kyle.kistingner@faegredrinker.com
<i>Counsel to the Official Committee of Unsecured Creditors</i>	

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address:  824 North Market Street Wilmington, Delaware 19801	Room: Courtroom No. 6 Floor: 5 Date and Time: August 17, 2023 at 10:00 a.m. ET
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**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

Dated: June 9, 2023



**UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT  
OF DELAWARE**

/s/ Una O'Boyle

Clerk of the United States Bankruptcy Court  
for the District of Delaware

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<p>In re:</p> <p>GIGAMONSTER NETWORKS, LLC, <i>et al.</i>,<sup>1</sup></p> <p style="text-align: center;">Debtors.</p>	<p>Chapter 11</p> <p>Case No. 23-10051 (JKS)</p> <p>(Jointly Administered)</p>
<p>OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF GIGAMONSTER NETWORKS, LLC, <i>et al.</i>,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BARINGS ASSET-BASED INCOME FUND (US), L.P., BABIF GIGABLOCKER LLC, MATTHEW SANDOVAL, W.F. (ROONEY) DEBUTTS, NISANTH REDDY, and JULIE NIEDZWIECKI,</p> <p style="text-align: center;">Defendants.</p>	<p>Adv. Case No. 23-50404 (JKS)</p>

**NOTICE OF DISPUTE RESOLUTION ALTERNATIVES**

As a party to litigation, you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can also reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolving your case. Alternative Dispute Resolution (ADR) is offered through a program established by this Court. The use of these services is often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration and arbitration. In each, the process is presided over by an impartial third party, called the “neutral.” In mediation and early neutral evaluation, an experienced neutral has no power to impose a settlement on you. It fosters an environment where offers can be discussed and exchanged. In the process, together, you and your attorney will be involved in weighing settlement proposals and crafting a settlement. The Court in its Local Rules requires all ADR processes, except threat of a potential criminal action, to be confidential. You will not be prejudiced in the event a settlement is not achieved because the presiding judge will not be advised of the content of any of your settlement discussions.

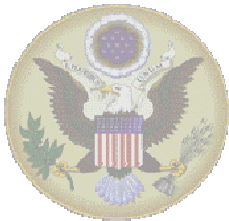
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Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests de novo review of an arbitration award, the judge will rehear the case.

**Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.**

Dated: June 9, 2023



**UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT  
OF DELAWARE**

/s/ Una O'Boyle

Clerk of the United States Bankruptcy Court  
for the District of Delaware